

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TYWAN NAPPER,	:
Petitioner	:
v.	: Case No. 3:24-cv-122-KAP
MICHAEL UNDERWOOD, WARDEN,	:
F.C.I. LORETTO,	:
Respondent	:

Memorandum Order

The above plaintiff/petitioner has submitted a pleading and it has been docketed at the above caption. It has the following defects and will not proceed until those defects are corrected. The Clerk shall mark this matter administratively closed (that is not a dismissal) and re-open the matter when the defects are corrected.

  X   No correct filing fee or **completed** motion to proceed *in forma pauperis*. To proceed with a habeas corpus petition, a petitioner must pay the filing fee (currently \$5) or file a motion to proceed *in forma pauperis*. To proceed with a civil complaint, a plaintiff must pay the filing fee (currently \$405) or file a motion to proceed *in forma pauperis*.

If plaintiff/petitioner is an inmate and a motion to proceed *in forma pauperis* is granted pursuant to the Prison Litigation Reform Act, the inmate will not be required to pay the filing fee for a habeas petition, but will be required to pay a filing fee of \$350 in installments from the inmate's account for a civil complaint. For all plaintiffs and petitioners, a motion to proceed *in forma pauperis* requires an affidavit that includes a statement of all assets the movant possesses and a statement that the person is unable to pay or give security for the necessary fees. 28 U.S.C.A. § 1915(a)(1). **For a prison inmate, the Prison Litigation Reform Act also requires the motion to proceed *in forma pauperis* to include a certified copy of the inmate's prison account statement for the last six months.** See 28 U.S.C. § 1915(a)(2):

A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined.

           The complaint/petition is unsigned. See Fed R. Civ. P. 11(a).

           The complaint/petition cannot be scanned because it is not on 8½ x 11

paper\_\_\_\_\_, contains writing on both sides of the page\_\_\_\_\_, is handwritten in an illegible manner\_\_\_\_\_, or contains these pages\_\_\_\_\_ or exhibits\_\_\_\_\_ that are too faint to reproduce. (If you cannot supply a legible copy, please describe what you contend the exhibit states.

\_\_\_\_\_ The complaint/petition is missing numbered pages\_\_\_\_\_ or fails to include the following exhibits identified in the complaint/petition:\_\_\_\_\_.

\_\_\_\_\_ The complaint/petition does not contain a demand for relief. *See* Fed R. Civ. P. 8(a).

Please remember to use the proper caption and docket number on all papers sent to the Clerk. Please remember to notify the Clerk of any change in address with a separate pleading; do not assume that putting a new return address on your envelope will give the Clerk adequate notice.



DATE: June 27, 2024

\_\_\_\_\_  
Keith A. Pesto,  
United States Magistrate Judge

Notice by U.S. Mail to:

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F.C.I. Loretto  
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Cresson, PA 16630